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### **Ventura County Pesticide Regulatory Program 2006-2008 Performance Evaluation Report**

**California Environmental Protection Agency  
Department of Pesticide Regulation  
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Sacramento, California 95814**

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## **Performance Evaluation of the Ventura County Agricultural Commissioner Pesticide Use Enforcement Program**

This report provides a performance evaluation of Ventura County Agricultural Commissioner's (VEN CAC) pesticide use enforcement (PUE) program for the FY 06-08. The assessment evaluates the performance of goals identified in the VEN CAC's enforcement work plan as well as the program's adherence to Department of Pesticide Regulation (DPR) standards as described in the Pesticide Use Enforcement Program Standards Compendium.

### **I. Summary Report of Core Program Elements**

#### **A) Restricted Materials Permitting:**

The restricted materials permitting program element was found to meet DPR standards and work plan goals.

#### **B) Compliance Monitoring:**

The compliance monitoring program element was found to meet DPR standards and work plan goals.

#### **C) Enforcement Response:**

The enforcement response program element was found to meet DPR standards and work plan goals.

### **Summary Statement:**

The VEN CAC's pesticide use program is currently effective. The evaluation is based on observation, record review, and interviews of relevant staff during FY 07-08.

### **II. Assessment of Core Program Effectiveness and Work Plan Goals**

#### **A) Restricted Materials Permitting:**

##### **1) Permit Issuance – Effective**

The VEN CAC permit issuance procedures and performance were evaluated through observation and interviews of relevant staff and found to conform to DPR standards and expectations. VEN CAC has twelve Agricultural biologists (nine full-time and three part-time) that issue permits and most of them possess Pesticide Regulations and Investigation and Environmental Monitoring licenses. VEN CAC issued **712** agricultural permits, **62** non-agricultural permits, and **459** operator identification numbers (OP IDs) during FY 07-08.

The VEN CAC goal is to place even more emphasis during the next permit issuance year in ensuring that permits information is up-to-date and accurate.

The DPR evaluation determined that permits are:

- issued only to qualified applicants;
- signed by authorized persons;
- issued for time periods allowed by law;
- permit amendments follow approved procedures.

## **2) Site Evaluation – Effective**

The VEN CAC staff received **4272** Notices of Intent (NOI) during FY 07-08. The VEN CAC site evaluation procedures were evaluated through observation, record review, and interviews of relevant staff and found to conform to DPR standards and expectations. VEN CAC completed **125** pre application site inspections during 07-08. This represents 3% of NOIs reviewed. 3CCR, Section 6436 requires no less than 5% of the sites identified in permits or NOIs. This part of the VEN CAC's Core program area needs to be improved.

The permits:

- contained the necessary information;
- identified treatment areas and sensitive areas that could be adversely impacted by the permitted uses;
- identified mitigation measures and included conditions that addressed known hazards.

The VEN CAC staff adequately evaluated permits and determined if the use of feasible alternatives was required. The program reviews all NOIs in a timely manner and adequately monitored agricultural and non-agricultural permits utilizing pre-application site evaluations and use monitoring inspections.

## **B) Compliance Monitoring:**

### **1) Inspections – Effective**

VEN CAC performed **401** inspections during FY 07-08. This was very similar to the number of inspections completed on FY 06-07 (**405** inspections). The VEN CAC inspection procedures were evaluated through DPR oversight and record review and found to conform to DPR standards and expectations. Except for the two new biologists all of the biologists perform inspections possess Pesticide Regulations and Investigation and Environmental Monitoring licenses. Inspections are performed according to the inspection strategy documented in the VEN CAC's enforcement work plan. Inspections are performed according to DPR policies and procedures; inspection reports are complete and comprehensive. The inspections adequately provide the information necessary to successfully prosecute violations.

Inspections performed by VEN CAC were found to:

- adequately address label, law, and regulatory requirements;
- include interviews of employers and employees as appropriate;
- adequately document violations;
- include appropriate follow-up inspections and procedures.

### **2) Investigations – Effective**

The VEN CAC investigation procedures and performance were evaluated through observation, record review, and interviews of relevant staff and found to conform to DPR's standards and expectations. VEN CAC investigated a total of **9** WH&S assigned investigations and other complaints during FY 07-08. All complaints and

their reports are completed in a timely manner. VEN CAC refers and notifies DPR and other agencies, as required.

Investigations are thorough and complete and submitted on approved forms and in the approved format. The investigations document violations and VEN CAC collects evidences according to DPR standards. The investigations adequately provide the information necessary to successfully prosecute violations.

**C) Enforcement Response: – Effective**

The VEN CAC enforcement response was evaluated through observation, record review, and interviews of relevant staff and found to conform to DPR standards and expectations. VEN CAC took **31** Agricultural Civil Penalty (ACP) actions and **2** Structural Civil Penalty (SCP) actions in FY 07-08.

The VEN CAC's enforcement program was found to:

- initiate appropriate action when violations are identified;
- sufficiently support compliance, enforcement, and public protection actions;
- ensure that due process requirements are met when taking an enforcement or permit action, or when initiating a private applicator certification or registration refusal/revocation.

**III. Recommended Corrective Actions**

No corrective actions are currently needed.

**IV. Non-Core and Desirable Activities**

**Outreach and Training**

- Ventura CAC performed various outreach and training sessions throughout the year to growers, pesticide applicators, and other stack holders regarding Volatile Organic Compounds (VOC) new Regulations. More resources were dedicated to plan, follow up and monitor the VOC activities.